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7 KLUTCH SPORTS GROUP  
(erroneously sued as Klutch Sports)

8 [Additional Submitting Counsel on Signature Page]

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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 PHILLIP BELL JR.; LORNA BARNES; and  
ANTHONY BARNES,

14 Plaintiffs,

15 vs.

16 SADDLEBACK VALLEY UNIFIED  
SCHOOL DISTRICT; KLUTCH SPORTS;  
17 NEXT LEVEL SPORTS & ACADEMICS;  
and ISAHIA SANDOVAL; EDWARD  
18 WONG TRICIA OSBORNE; CHAD  
JOHNSON; STEVE BRISCOE; and DOES 1-  
19 20 in their individual and official capacities, et  
al.,

20 Defendants.  
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Case No. 4:24-cv-05545-JCS

**JOINT LIMITED OPPOSITION TO  
PLAINTIFFS' REQUEST FOR OUT OF  
TIME MOTION FOR EXTENSION OF  
TIME TO FILE RESPONSE TO  
DEFENDANTS KLUTCH SPORTS  
GROUP'S, NEXT LEVEL SPORTS &  
ACADEMICS FOUNDATION, AND  
STEVE BRISCOE'S RESPECTIVE  
MOTIONS TO DISMISS**

*Judge: Dist.. Judge Jon S. Tigar*

**LIMITED OPPOSITION**

After 11:00 pm on the day several oppositions were due, Plaintiffs filed several procedurally improper “motions” to extend time. This Court’s standing order is that filing deadlines “are at 5:00 p.m. unless otherwise ordered” and that requests for extensions “should be filed at least three business days prior to the deadline.” Moreover, Plaintiffs were required to make an effort to obtain a stipulation before filing an administrative motion and to submit a declaration describing their efforts. Civil Local Rule 6-3.

Plaintiffs utterly failed to comply with any of these rules. Defendant Klutch Sports Group (erroneously sued as Klutch Sports) (“Klutch”) filed its Motion to Dismiss before 5:00 p.m. PST on January 23, 2025, contrary to Plaintiffs’ claims in their motion, therefore Plaintiffs’ opposition to Klutch’s motion to dismiss was due February 6 (see ECF No. 44). Plaintiffs did not make a request to any defendant for an extension until the afternoon of February 7. That request was by email and failed to include counsel for Klutch. *Cf.* Civil Local Rule 1-5(n) (the “mere sending” of an email “does not satisfy the requirement to ‘meet and confer’ or ‘confer’”).

If Plaintiffs had conferred at the proper time, this scheduling issue could likely have been resolved without the need for Court intervention. Plaintiffs would have learned that counsel for Klutch needs to file its reply brief by February 21 because counsel has a trial starting in the Central District of California on March 4. Defendants would have been willing to grant Plaintiffs an extension to February 14 to file their opposition to the Klutch motion to dismiss. If Plaintiffs file their opposition to the Klutch Sports motion to dismiss by February 14, then Defendants Steve Briscoe (“Briscoe”) and Next Level Sport & Academics Foundation (“Next Level”) are willing to agree that Plaintiffs opposition to their substantially similar motion to dismiss (ECF No. 46) can be filed as late as February 21. Briscoe and Next Level will file their reply brief on the normal schedule (within one week after the opposition is served) and there is no need to vacate the March 20 hearing.

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1 Klutch, Briscoe, and Next Level hereby respectfully request that this Court order Plaintiffs  
2 to file any opposition to the Klutch motion to dismiss by February 14, 2025, and that the Court not  
3 vacate the March 20, 2025 hearing date at this time.

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5 Respectfully submitted,

6 Dated: February 10, 2025

EARLY SULLIVAN WRIGHT  
GIZER & McRAE LLP

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9 By: /s/ Zachary C. Hansen  
Bryan M. Sullivan  
Zachary C. Hansen

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11 Attorneys for Defendant  
12 KLUTCH SPORTS GROUP  
13 (erroneously sued as Klutch Sports)

14 ILLOVSKY GATES & CALIA LLP

15  
16 Dated: February 10, 2025

By: /s/ Kevin Calia  
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21 Attorneys for Defendants  
22 STEVE BRISCOE and NEXT LEVEL SPORTS  
23 & ACADEMICS FOUNDATION  
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**SIGNATURE ATTESTATION**

I, Zachary C. Hansen, am the ECF user whose identification and password are being used to file the foregoing **JOINT LIMITED OPPOSITION TO PLAINTIFFS' REQUEST FOR OUT OF TIME MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO DEFENDANTS KLUTCH SPORTS GROUP'S, NEXT LEVEL SPORTS & ACADEMICS FOUNDATION, AND STEVE BRISCOE'S RESPECTIVE MOTIONS TO DISMISS** In compliance with Local Rule 5-1, I hereby attest that all party signatories hereto concur in this filing's content and have authorized this filing.

/s/ Zachary C. Hansen

Zachary C. Hansen